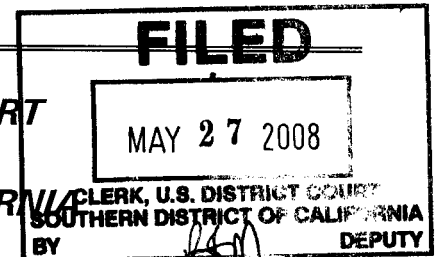


AO 455 (Rev. 5/85) Waiver of Indictment

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA



UNITED STATES OF AMERICA

WAIVER OF INDICTMENT

v.

FELIPE HERNANDEZ-CRUZ

CASE NUMBER: 08cr1605-JLS

I, FELIPE HERNANDEZ-CRUZ, the above named defendant, who is accused of the committing the following offense:

Title 8, U.S.C., Sec. 1326(a) - Deported Alien Found in the United States (Felony)
being advised of the nature of the charge(s), the proposed information, and of my rights, hereby
waive in open court on 5/27/08 prosecution by indictment and consent that the
proceeding may be by information rather than by indictment.

Felipe Hernandez Cruz
Defendant

J. Marshall
Counsel for Defendant

Before [Signature]
JUDICIAL OFFICER